

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 3, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-17057 - APPLICANT/OWNER: SANTA FE 124, LLC

THIS ITEM WAS HELD IN ABEYANCE FROM THE DECEMBER 20, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 09/22/06, except as amended by conditions herein.
3. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made of a Final Map. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications
4. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
5. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

7. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
8. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
9. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
10. All units, as well as the common ownership facilities, shall be brought into compliance with all applicable state and local building, housing, mechanical and fire codes adopted for use by the city at the time of original construction.
11. Each dwelling unit shall be served by gas and/or electric services completely within the lot lines or ownership space of each separate unit. Easements for gas and/or electric lines shall be provided in the common ownership area where lateral service connections shall take place. Each dwelling unit shall be separately metered for gas and/or electricity. A plan for equitable sharing of communal water metering, where required, shall be included in the covenants, conditions and restrictions.
12. All new on-site and off-site minor utilities except switch boxes, transformer boxes and cap banks across property frontage shall be underground.
13. The applicant shall provide a building and grounds condition report prepared by a licensed civil engineer or licensed architect to the Planning and Development Department for review and approval upon application for Tentative Map approval. This report shall contain an evaluation of the structural condition of each building in the project, and an evaluation of the condition of all site features such as parking areas, accessory buildings, landscaped areas, driveways, sidewalks, carports, any amenities, fences and utility systems. A copy of the report shall be provided to all prospective buyers.
14. Upon application for a Tentative Map, the applicant shall provide proof that a notice of intent to convert has been delivered to each tenant as required by Nevada Revised Statutes. The applicant is further responsible for providing each tenant with notice of any and all future public hearings held regarding the conversion or mapping process.
15. Any remodeling or construction work in conjunction with the conversion of the apartments shall require permits from the Department of Building and Safety, with the exception of painting, carpeting, or other similar finish work. The conversion from apartments to condominiums shall require the payment of additional sewer connection fees. The additional fees shall be paid prior to the recordation of the Final Map. Proof of payment shall be required upon submittal of the Final Map.
16. Handicap parking spaces must be provided in accordance with Title 19.10 standards.

17. The applicant shall repair all damage to perimeter walls, covered parking, trash enclosures, and chipped metal railing on the site prior to time an application is made for a Tentative Map.
18. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

19. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
20. Obtain an Occupancy Permit for all landscaping and private improvements in the Charleston Boulevard public right-of-way, if any, adjacent to this site.
21. This site shall be responsible for sewer connection fees in accordance with condominium requirements per Title 14 Chapter 14.04.020 Equivalent Residential Unit (ERU) Schedule. If some or all of these units have already paid fees based upon apartment requirements, the difference between condominium and apartment fees for those units shall be paid to Building and Safety prior to the recordation of a Final Map for this site. Submit copies of the receipts to the Collection Systems Planning Section of the Department of Public Works with Final Map mylar submittal.
22. A Homeowners' Association shall be established to maintain all private roadways, landscaping and common areas created with this development. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
23. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
24. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for the conversion of a 124-unit apartment complex to a condominium development. The site has been operating as a multi-family rental community since 1989 and does not meet applicable parking standards for this type of multi-family development. The site plan depicts 171 parking spaces where 224 parking spaces are required. By current standards, this is a 24 percent parking deficiency. In addition, three handicap accessible spaces are being provided where seven are required. The site is deficient with respect to the number and spacing of trees and shrubs planted in the parking lot and perimeter planter areas. Staff cannot recommend this development as parking and landscaping are seriously deficient.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/04/85	The City Council approved the Re-classification of property (Z-0075-85) generally located on the southwest corner of Charleston Boulevard and Placid Avenue, from N-U (Non-Urban), to R-PD23 (Residential Planned Development – 23 Units Per Acre).
01/20/88	The City Council approved the Reinstatement and Extension of Time of property located on the southwest corner of Charleston Boulevard and Warbonnet Way, N-U (Non-Urban) Zone under Resolution of Intent to R-PD23 (Residential Planned Development – 23 Units Per Acre).
11/16/06	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #41/jm).
<i>Related Building Permits/Business Licenses</i>	
08/05/87	A Plot Plan Review was approved to construct a 12 apartment, 124 unit development.
<i>Pre-Application Meeting</i>	
Month/date/year	Description
09/21/06	At the pre-application meeting, the applicant was informed that the conversion request must comply with Title 19.04 parking standards for a condominium. The applicant was also informed that Title 19.12 landscape requirements would have to be upheld as closely as possible. Staff closed the meeting by explaining submittal requirements for the application.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not held, nor was one required.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	4.7
Gross Acres	6.0

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Apartment	M (Medium Density Residential)	R-PD23 (Residential Planned Development – 23 Units Per Acre)
North	Townhouse	ML (Medium-Low Density Residential)	R-PD12 (Residential Planned Development – 12 Units Per Acre)
South	Single Family Residential	R (Rural Density Residential)	R-1 (Single Family Residential)
East	Apartment	M (Medium Density Residential)	R-PD14 (Residential Planned Development – 14 Units Per Acre)
West	Apartment	M (Medium Density Residential)	R-PD14 (Residential Planned Development – 14 Units Per Acre)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	Y
Special Purpose and Overlay Districts		X	Y
Trails		X	Y
Rural Preservation Overlay District		X	Y
Development Impact Notification Assessment		X	Y
Project of Regional Significance		X	Y

DEVELOPMENT STANDARDS

<i>Standard</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	6.0 Acres	Y
Min. Lot Width	301.75 Feet	Y
Min. Setbacks <ul style="list-style-type: none"> • Front • Side • Corner • Rear 	26 Feet 20 Feet 58 Feet 75 Feet	Y
Min. Distance Between Buildings	10 Feet	Y
Max. Lot Coverage	N/A	Y
Max. Building Height	24 Feet	Y
Trash Enclosure	3	Y
Mech. Equipment	Screened	Y

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1 Tree/ 6 Spaces	4 Trees	Zero Trees	N
Buffer: Min. Trees	1 Tree/20 Linear Feet	96 Trees	47 Trees	N
Interior			65 Trees	N/A
TOTAL		100 Trees	112 Trees	N
Min. Zone Depth- Adjacent to Right- of-Way	10 Feet		5 Feet	N
Min. Zone Depth- Interior Lot Lines	6 Feet		Zero Feet	N
Wall Height	8 Feet		8 Feet	Y

Pursuant to Title 19.06, the following Open Space Standards apply to the subject proposal:

Total Acreage	Density	Required			Provided	
		Ratio	Percent	Area	Percent	Area
6.00 acres	21 d.u./ac	1.65	35 %	90,561 SF	30%	79,558 SF

The proposal is deficient in the required amount of open space by approximately 5%.

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
One Bedroom	28 Units	1 per 1.25	35				
Two Bedroom	96 Units	1 per 1.75	168				
Guest	124 Units	1 per 6 units	21				
SubTotal			224	7	171	3	
TOTAL			224	7	171	3	
Percent Deviation					24%		

ANALYSIS

- Zoning

The subject proposal is located in an R-PD23 (Residential Planned Development – 23 Units Per Acre) zone. R-PD (Residential Planned Development) zones allow applicants to define their own development standards. As such, the subject proposal, at a density of 21 units per acre, conforms to the applicable zoning designation.

- Site Plan

The request is for the conversion of a 124-unit apartment project to a condominium development on 6.00 acres. The site receives access from Warbonnet Way, a 60-foot collector street and 24-foot drives provide internal circulation for the site. The site consists of 28 one-bedroom and 96 two-bedroom units.

The complex was constructed in 1989 and provides 171 parking spaces where 224 parking spaces are required. The site is considered parking impaired as it complied with all applicable parking requirements on its date of construction, but does not meet current Title 19 requirements. If held to current standards, the site would be deficient by a total of 57 parking spaces (53 regular and 4 handicapped). This would constitute a 24% reduction of required parking. It should be noted that 47 are open stalls and 124 are covered stalls.

On the southwest portion of the site, the site plan depicts a shed. A site visit demonstrated that the shed does not meet the accessory structure setbacks expressed in Title 19.08 which state that a detached, accessory structure must be located a minimum distance of three feet from the side and rear property lines. A condition has been added requiring the shed to meet Title 19.08 standards.

- Waivers

As the project has already been built, waivers of the deficiencies noted above (handicap accessible parking spaces and parking and perimeter landscaping) will not be required. However, conditions of approval are being placed on the proposal to insure that the project complies with Title 19 standards when the conversion to condominiums is completed.

- Landscape Plan

The site is deficient with respect to the number and spacing of trees and shrubs planted in the parking lot and perimeter planter areas. No landscape fingers are provided, most noticeably within the perimeter parking spaces. Four fingers should accompany the parking lot, with one tree per finger. Per Title 19.14, the applicant is required to

provide a minimum of 49 additional trees (24-gallon minimum size) along the perimeter of the site spaced at a maximum of 20 feet apart on center to comply with current code requirements. Although the site is deficient 49 parking, street, and perimeter trees, the applicant does provide an additional 65 trees on the interior portion of the site. In addition, staff considers it would be adverse to the existing site to require trees along the south and west interior landscape buffers as it is populated with existing covered parking stalls.

- Open Space

Per Title 19.06 open space standards, the site shows a total of 79,558 square feet of open space where 90,561 square feet of open space is required. The proposal is deficient in the required amount of open space by approximately 5%. However, since the development was approved before open space requirements were considered for Residential Planned Developments (R-PD), the standards are not applicable.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. **“The proposed development is compatible with adjacent development and development in the area;”**

The site has been operating as a multi-family rental community since 1989, and the conversion of the complex to condominium units will not significantly impact the area. Although the proposed development is compatible with surrounding development, staff cannot recommend this development as the site is parking deficient.

2. **“The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;”**

The existing site was in compliance with all applicable development standards at the time of its construction. City policy dictates that all proposed condominium conversions meet Title 19 minimum landscape requirements. The proposed development is deficient in perimeter landscaping and parking lot fingers.

The subject proposal does not meet applicable parking standards for this type of multi-family development. The site plan depicts 171 parking spaces where 224 parking spaces are required. In addition, three handicap accessible spaces are being provided where seven are required. Therefore, Staff cannot recommend this request.

3. “Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;”

The site gains access from Warbonnet Way, 60-foot Local Street. The conversion of the existing apartments to condominiums will not impact the traffic generated by the site. As such, adjacent roadways will not be negatively impacted by approval of this project.

4. “Building and landscape materials are appropriate for the areas and for the City;”

The type of materials used for both building and landscaping are appropriate. However, a site inspection revealed there has been considerable wear and damage to the trash enclosures, perimeter walls, and covered parking stalls that will need to be repaired and fixed before a Tentative Map application can be filed.

5. “Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;”

The existing development is harmonious and compatible with other developments in the area.

6. “Appropriate measures are taken to secure and protect the public health, safety and general welfare.”

The public health, safety, and general welfare will not be compromise by approval of this project.

PLANNING COMMISSION ACTION

Changes were made to conditions as shown by the Planning Commission.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

8

ASSEMBLY DISTRICT

2

SENATE DISTRICT

8

NOTICES MAILED

441 by Planning Department

APPROVALS 0

PROTESTS 0